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REMARKS

To date, the Examiner has not indicated that the subject matter of the information disclosure statement (IDS) filed December 12, 2005 has been properly considered. A copy of such IDS is submitted herewith. If the Examiner requires additional copies of any reference(s), applicant invites the Examiner to contact the undersigned. Documentation in the file wrapper of the instant application confirming the Examiner's consideration of the reference(s) is respectfully requested.

The Examiner has maintained the rejection of the claims. As set forth below, such rejection is still deficient. However, despite such deficiencies and in the spirit of expediting the prosecution of the present application, applicant has incorporated the subject matter of at least one dependent claim into each of the independent claims. Since the subject matter of such dependent claim(s) was already considered by the Examiner, it is asserted that such claim amendments would not require new search and/or consideration.

The Examiner has rejected Claims 1-4, 9-12, 14-21, 26-29, 31-38, 43-46 and 48-54 under 35 U.S.C. 103(a) as being unpatentable over Uszok et al. (U.S. Patent Application No. 2004/0205772) in view of Kouznetsov et al. (U.S. Patent No. 6,931,546). Applicant respectfully disagrees with such rejection, especially in view of the amendments made hereinabove to each of the independent claims.

With respect to each of the independent claims, the Examiner has responded to applicant arguments regarding to applicant's claimed "if said target process is available to said target computer to pass at least a portion of said operation specifying data from said agent process to said target process" (see the same or similar, but not necessarily identical language in each of the independent claims). Specifically, the Examiner has stated that Figure 4, paragraph [0079] lines 1-15, and paragraph [0080] lines 1-8 in Uszok teach that "the plug-in is available to the target computer (botServer) and the plug-ins can be configured so that they have the same ID on every server." The Examiner has further

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stated that such excerpts teach that "plug-ins can be installed by botServer manager (which is the agent process) [which] communicates with other plug-ins and bots via botServer manager using messages...[such that] the plug-in can be passed from the agent process (botServer manager) to [the] target process (plug-in manager), and both agent, and target processes are performed at the same target computer (botServer)."

After careful review of the Examiner's arguments in association with the excerpts from Uszok relied on by the Examiner, applicant notes that Uszok does not teach passing "at least a portion of said operation specifying data from said agent process to said target process," as claimed by applicant. In particular, applicant notes that the Examiner has relied on the botServer manager in Uszok to meet applicant's claimed "agent process," however, applicant points out that the botServer manager in Uszok only allows plug-ins to communicate with other plug-ins and bots (see specifically paragraph [0079] lines 2-5). Clearly, a botServer manager that only provides a communication channel between plug-ins and other plug-ins and bots does not meet applicant's claimed agent process from which "at least a portion of said operation specifying data [is passed]" (emphasis added).

Furthermore, it seems the Examiner has equated Uszok's "plug-in" with applicant's claimed "operation specifying data," since the Examiner has stated that "the plug-in can be passed from the agent process...to [the] target process." Applicant respectfully points out that, in Uszok, the plug-in itself "perform[s] demanding real-time operations" (see paragraph [0079] lines 13-15), which clearly cannot meet applicant's claimed "operation specifying data" (emphasis added).

Still with respect to each of the independent claims, the Examiner has relied on paragraph [0079] lines 1-15, paragraph [0083] lines 1-8, and paragraph [0084] lines 1-6 in Uszok to make a prior art showing of applicant's claimed "target process code operable to provide one or more target processes for performing operations in response to operation specifying data, said one or more target processes being provided at said first

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computer independently of said agent process" (see the same or similar, but not identical language in each of the independent claims).

After reviewing the Examiner's arguments and the related excerpts in Uszok, applicant notes that the Examiner has relied on Uszok's Security Registry to meet applicant's claimed "one or more target processes." Applicant points out, however, that the Security Registry in Uszok only includes lists of data, such that it is only a storage space and not any sort of process, as claimed by applicant. It also seems that the Examiner has again relied on Uszok's plug-ins to meet applicant's claimed "operation specifying data." As noted above, Uszok's plug-ins perform operations, which clearly cannot meet any sort of operation specifying data, as claimed by applicant.

In addition, the Examiner has relied on paragraph [0144] lines 1-13 in Uszok to make a prior art showing of applicant's claimed technique "wherein said operation performed includes configuring said target computer to execute a computer program." Applicant respectfully asserts that such excerpt only teaches configuring an sBot which is located on a botServer (see Figure 4 and paragraph [0081]), and not a target computer, as claimed by applicant. In particular, applicant notes that the Examiner has previously relied on Uszok's botServer to meet applicant's claimed "target computer" in prior claim limitations including, for example, those argued above. Thus, configuring an sBot cannot meet applicant's claimed "configuring said target computer." Furthermore, the sBot in Uszok is only configured to clone itself and/or migrate to a new server (paragraph [0144]), and is not configured "to execute a computer program," as applicant claims.

Furthermore, with respect to each of the independent claims, the Examiner has relied on Col. 9, lines 59-65 and Col. 12, lines 9-20 in Kouznetsov to make a prior art showing of applicant's claimed techniques "wherein said target process is operable to map configuration data specified within said operation specifying data to a configuration data store of said target computer" and "wherein said configuration data store is one of: a Windows Registry entry; an INI file; a DAPI store; and a database entry." The Examiner

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has specifically stated that Kouznetsov teaches that the initialization file “corresponds to map the configuration specified within (embedded) said operation using .ini files.”

Applicant notes, however, that such excerpts only disclose a configuration file comprising an initialization file embedded within a cabinet file. Clearly, simply disclosing a configuration file comprising an initialization file within a cabinet file does not even suggest mapping, let alone mapping “configuration data specified within said operation specifying data to a configuration data store of said target computer,” as applicant claims (emphasis added). In addition, Kouznetsov only teaches that the “received messages identify a configuration file” (see Col. 9, line 61), but not that “configuration data [is] specified within said operation specifying data,” where such operation specifying data is utilized in “configur[ing] said target computer to execute a computer program,” in the context claimed by applicant (see each of the independent claims).

Still yet, with respect to each of the independent claims, the Examiner has relied on paragraph [0068] lines 3-10 in Uszok to make a prior art showing of applicant’s claimed technique “wherein said identifier of a target process includes at least one of: data specifying a computer file operable to trigger said target process; data specifying a communication channel operable to trigger said target process; and data specifying an operating system command operable to trigger said target process.” Specifically, the Examiner has stated that such excerpt teaches “using the communication channel to trigger the BotBox initialization.”

Applicant respectfully asserts that Uszok only teaches that “establishing a botBox is initiated by the user or prompted by botMaster through the GUI...[and that] a botBox communicator component...[is used] to send a message to request initialization of a corresponding botBox.” Clearly, such teachings in Uszok do not even suggest “data specifying a communication channel” (emphasis added), especially since Uszok only generally teaches that the botBox proxy “utilizes a...botBox communicator component.” Furthermore, when read in the appropriate context, applicant’s claimed “identifier of a

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target process" is "read from said operation specifying data." Simply nowhere does Uszok teach "data specifying a communication channel" that is read from operation specifying data, in the specific context claimed by applicant.

To establish a *prima facie* case of obviousness, three basic criteria must be met. First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings. Second, there must be a reasonable expectation of success. Finally, the prior art reference (or references when combined) must teach or suggest all the claim limitations. The teaching or suggestion to make the claimed combination and the reasonable expectation of success must both be found in the prior art and not based on applicant's disclosure. *In re Vaeck*, 947 F.2d 488, 20 USPQ2d 1438 (Fed.Cir.1991).

Applicant respectfully asserts that at least the third element of the *prima facie* case of obviousness has not been met, since the prior art references, when combined, fail to teach or suggest all of the claim limitations, as noted above. Nevertheless, despite such paramount deficiencies and in the spirit of expediting the prosecution of the present application, applicant has substantially incorporated the subject matter of Claims 10-12 et al. into each of the independent claims.

With respect to Claim 11 et al., presently incorporated into each of the independent claims, the Examiner has simply reiterated the arguments made in the last Office Action in rejecting applicant's claimed technique "wherein said result data includes data specifying existing configuration data of said target computer." Applicant again respectfully asserts that paragraph [0014] line 11 from Uszok only teaches an mBot located on a client side that implements XML. Simply nowhere in such excerpt is there even a suggestion of any sort of "operation specifying data," let alone "operation specifying data [that] is passed from said initiating computer to said target computer as XML data," as claimed by applicant (emphasis added).

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With respect to Claim 12 et al., presently incorporated into each of the independent claims, the Examiner has relied on paragraph [0100] lines 1-15 in Uszok to make a prior art showing of applicant's claimed technique "wherein said target process is operable to map said existing configuration data of said target computer stored within said configuration data store of said target computer to said result data to be returned to said initiating computer." Applicant respectfully asserts that such excerpt merely teaches that "the portable program assigns to its mBots one of the user profiles made available on the shared botBox." Clearly, the user profiles in Uszok are only being used with respect to the target computer to which the mBots are assigned, and are not utilized by being mapped "to said result data to be returned to said initiating computer," as claimed by applicant (emphasis added).

Since at least the third element of the *prima facie* case of obviousness has not been met, a notice of allowance or a proper prior art showing of all of the claim limitations, in the context of the remaining elements, is respectfully requested.

Applicant further notes that the prior art is also deficient with respect to the dependent claims. Just by way of example, with respect to Claim 2 et al., the Examiner has relied on paragraph [0014] line 11 from Uszok to make a prior art showing of applicant's claimed technique "wherein said operation specifying data is passed from said initiating computer to said target computer as XML data." Applicant respectfully asserts that such excerpt only teaches an mBot located on a client side that implements XML. Simply nowhere in such excerpt is there even a suggestion of any sort of "operation specifying data," let alone "operation specifying data [that] is passed from said initiating computer to said target computer as XML data," as claimed by applicant (emphasis added).

With respect to Claim 15 et al., the Examiner has relied on paragraphs [0050] and [0068] in Uszok to make a prior art showing of applicant's claimed technique "wherein said operation includes returning said result data from said target computer to said initiating computer in dependence upon whether or not said target process is available to

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“said target computer.” Applicant respectfully asserts that such excerpts only generally disclose bots ([0050]) and a method for installing a botBox ([0068]), but they do not disclose a situation where a bot of botBox is not available. Applicant emphasizes that nowhere in such excerpts, or the entire Uszok reference, is there any disclosure of “returning said result data... in dependence upon whether or not said target process is available to said target computer,” as specifically claimed by applicant (emphasis added).

With respect to the Claim 17 et al., the Examiner has relied on paragraph [0073] lines 14-21 in Uszok to make a prior art showing of applicant’s claimed technique “wherein said operation specifying data is validated by said target computer by comparing with a template defining valid data.” Applicant respectfully asserts that such excerpt only teaches “checking digital signatures” and that “the Bot manifest is verified against the description file to validate the privileges that are to be granted.” Clearly, a digital signature does not meet applicant’s claimed “comparing [said operating specifying data] with a template defining valid data.” Furthermore, Uszok’s description file that is merely used to validate privileges also does not meet applicant’s claimed “operation specifying data [that] is validated by said target computer.”

With respect to Claim 52, the Examiner has relied on Col. 7, lines 24-32 in Kouznetsov to make a prior art showing of applicant’s claimed “validating said operation specifying data received at said agent process against schema data, where said schema data is sent to said agent process from said initiating computer at the same time as said operation specifying data.” Applicant respectfully asserts that such excerpt only discloses that code must include a digital signature. Clearly, a digital signature does not meet applicant’s claimed “schema data [that] is sent to said agent process from said initiating computer at the same time as said operation specifying data” where such schema data is compared against said operating specifying data to validate said operating specifying data (emphasis added).

With respect to Claim 54, the Examiner has relied on Col. 7, lines 27-32 in Kouznetsov to make a prior art showing of applicant’s claimed “parsing said operation

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specifying data after validating said operation specifying data to extract at least one identifier for mapping said at least one identifier to an available target process."

Applicant respectfully asserts that such excerpt only generally discloses security functions such as methods for performing authentication and validation functions. Simply nowhere does Kouznetsov even suggestion any sort of parsing, let alone "parsing said operation specifying data after validating said operation specifying data to extract at least one identifier for mapping said at least one identifier to an available target process," as claimed by applicant (emphasis added).

Again, since at least the third element of the *prima facie* case of obviousness has not been met, a notice of allowance or a proper prior art showing of all of the claim limitations, in the context of the remaining elements, is respectfully requested.

Thus, all of the independent claims are deemed allowable. Moreover, the remaining dependent claims are further deemed allowable, in view of their dependence on such independent claims.

In the event a telephone conversation would expedite the prosecution of this application, the Examiner may reach the undersigned at (408) 505-5100. The Commissioner is authorized to charge any additional fees or credit any overpayment to Deposit Account No. 50-1351 (Order No. NAIIP451/01.285.01).

Respectfully submitted,
Zilka-Kotab, PC.

Kevin J. Zilka
Registration No. 41,429

P.O. Box 721120
San Jose, CA 95172-1120
408-505-5100